

**5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPPS  
OF CALIFORNIA, OR HER DESIGNEE, TO BE DEBATABLE FOR 20  
MINUTES:**

**AMENDMENTS TO H.R. 4167****OFFERED BY** \_\_\_\_\_**[Capps/Eshoo/Stupak/Waxman Amendment]**

Page 4, beginning on line 1, strike "Except as provided in subsections (c) and (d)," and insert "Except as provided in paragraphs (4) through (6) and subsections (c) and (d),".

Page 5, after line 16, insert the following:

1           “(4) NOTIFICATIONS REGARDING CANCER.—

2           Paragraph (1) does not apply to a notification de-  
3           scribed in such paragraph if the notification warns  
4           that the food involved may cause cancer.

5           “(5) NOTIFICATIONS REGARDING BIRTH DE-  
6           FECTS OR REPRODUCTIVE HEALTH PROBLEMS.—

7           Paragraph (1) does not apply to a notification de-  
8           scribed in such paragraph if the notification warns  
9           that the food involved may cause birth defects, or  
10          warns that the food may cause reproductive health  
11          problems, or both.

12          “(6) NOTIFICATION REGARDING ALLERGENIC  
13          SULFITING AGENTS.—Paragraph (1) does not apply  
14          to a notification described in such paragraph if the



1 notification warns that the food involved contains a  
2 sulfiting agent that may cause an allergic reaction.”.

At the end of the bill, add the following:

3 **SECTION 3. ENSURING ADEQUATE PROTECTION FOR KIDS.**

4 Nothing in this Act or the amendments made by this  
5 Act shall have any effect upon a State law, regulation,  
6 proposition or other action that—

7 (1) establishes a notification requirement that  
8 will allow parents or guardians to understand, mon-  
9 itor, or limit a child’s exposure to cancer-causing  
10 agents, reproductive or developmental toxins, or  
11 food-borne pathogens; or

12 (2) offers protection to children from foods  
13 bearing or containing cancer-causing agents, repro-  
14 ductive or developmental toxins, or food-borne  
15 pathogens.

